

RESPONSE

The undersigned would here by submit the following in reference to the specific concerns the examiner raised in the Office Action Summary dated April 20, 2005.

IN THE SPECIFICATION

The Disclosure was objected to because of the following informalities.

Those informalities have been corrected.

The undersigned has submitted a complete substitute specification which addresses the concerns of the examiner.

IN THE DRAWINGS

The examiner has objected to the drawings for not showing the weight added within the hollow tubes.

The undersigned is submitting Figure 2a which is a cross sectional view of one of the tubes showing the weight added. The weight has the reference number 92. No new matter is being added as a result of this drawings.

REJECTIONS UNDER 35 USC § 103

Claims 1 through 2 and 4 through 11 are objected as being unpatentable over Soto.

Soto discloses the following:

- a. vertical height adjustment tube;


- b. securing device;
- c. skimming net;
- d. set of legs;

The device in Soto is placed in the pool. The user then drags the device around the perimeter to clean the top surface. It requires human intervention to achieve its purpose.

The Soto device does not claim a stationary base.

It is similar to the present invention in that there is a height adjustment device for the skimming net. However, the current device is designed to remain in one position and human intervention to collect the leaves on the surface is not required.

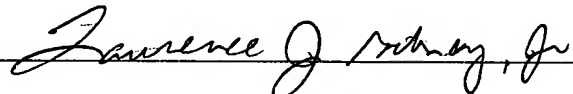
In operation the pool owner simply places this device in an area of the pool which he or she determines needs to be cleaned and leaves it in place, perhaps overnight or for several days. In the morning the user collects the contents which have collected in the net and empty those contents. This device does not involve any active, manual participation by any individual other than moving the device from place to place around the pool perimeter and possibly adjusting the height of the net. The purpose of the weights in the device is to maintain its position relative to the water during periods of non-use.


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CERTIFICATE OF MAILING

I hereby certify that this document for **10/760,153** is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated below and is addressed to:

Commissioner for Patents, Washington, DC 20231.

By: 

Print Name: Lawrence J. Gibney, Jr.

Date: July 18, 2005